



**Fox Rothschild LLP**  
ATTORNEYS AT LAW

625 Liberty Avenue, 29th Floor  
Pittsburgh, PA 15222-3115  
Tel 412.391.1334 Fax 412.391.6984  
www.foxrothschild.com

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**FACSIMILE TRANSMITTAL SHEET**

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<b>TO:</b> Dennis Myint	<b>COMPANY:</b> U.S. Patent & Trademark Office	<b>FAX NUMBER:</b> 571 273 5629	<b>PHONE NUMBER:</b>
<b>FROM:</b> Dennis Carleton	<b>PHONE NUMBER:</b> (412)	<b>EMAIL:</b> @foxrothschild.com	<b>BILLING NUMBER:</b>
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NOTES/COMMENTS:

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ATTORNEYS AT LAW

625 Liberty Avenue, 29th Floor  
Pittsburgh, PA 15222-3115  
Tel 412.391.1334 Fax 412.391.6984  
www.foxrothschild.com

Dennis M. Carleton  
Direct Dial: (412) 394-5568  
Email Address: dcarleton@foxrothschild.com

February 26, 2007

**VIA FACSIMILE 571 273 5629**

Dennis Myint  
U.S. Patent and Trademark Office

**Re: U.S. Application No. 10/620,988 for  
"Database and Knowledge Operating System"**

Dear Mr. Myint:

Thank you for your time in our meeting with my client, Ron Everett, and I, last Wednesday, February 21, 2007 regarding the latest office action in the above referenced application.

We discussed two issues namely, the §102 rejection in view of White, et al. and the §101 nonstatutory subject matter rejection. Below is a modified claim 1 which I believe addressed those two issues without a limitation to claim 1 that states: "wherein said plurality of common fundamental data structures are stored in a computer readable media". This limitation addresses the § 101 concerns as the database the claims consist of a functional descriptive material which when recorded on some computer where readable media becomes structurally and functionally interrelated to the medium and which, as a result, will be statutory, as sated in the excerpt from the MPEP which you provided to us during the meeting.

1. A data management system in a computing environment comprising:

a plurality of common, fundamental data structures, each of said common fundamental data structures encapsulating a single data instance;

each of said common fundamental data structures also encapsulating references to other common fundamental data structures encapsulating associated data instances; and

wherein said plurality of common fundamental data structures are stored in computer readable media in non-tabular form.

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With respect to the §102 issue, we have also added the limitation that the plurality of common fundamental data structures to be stored at a computer readable media "in tabular form". This addresses the other concern that you had regarding distinguishing our invention from that of White, which stores all relationship and relationship type information in tables separate from the data instances. The "non-tabular form" limitation should make it clear that our common fundamental data structures are not stored in any table and that the relationship information is encapsulated within each common fundamental data structure in non-tabular form.

Please advise if you believe this claim to be sufficient to address the two concerns discussed during our meeting. If so, I will prepare a response and file it as soon as possible. I can be reach via email at [dcarleton@frof.com](mailto:dcarleton@frof.com) and I would appreciate it if you would respond to that email address at your earliest possible convenience. Again, thank you for your time last week and we would hope to resolve these issues as soon as possible.

Very truly yours,



Dennis M. Carleton

DMC:tls

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